

Ashen Sunset

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Seven years ago today (around midnight between 17 and 18 September 2013), Pavlos Fyssas was murdered by members of Greece's Neonazi party *Golden Dawn*. It was only then, after the death of an ethnic Greek, that the authorities finally took action against the party and its members, having ignored violent acts against migrants, ethnic minorities, disabled persons, LGBT persons and others committed by party members for several years. On 7 October 2020, five and a half years and 453 hearings after the trial against 69 members of *Golden Dawn* began, judgment will be finally passed.

Fatal indifference

Golden Dawn and its members committed violent crimes against people from minority groups for years. Indicative of their actions during the year in which the crackdown against them began is found, *inter alia*, in the Greek Ombudsperson's 2013 [special report](#) on hate crime in Greece. It revealed that the perpetrators of one quarter of the recorded cases of hate crime between 1 January 2012 and 30 April 2013 were involved or appeared to be involved with *Golden Dawn*. It also found that in the first quarter of 2013, whilst the number of reports for racist incidents fell, the involvement of perpetrators related to *Golden Dawn* rose to nearly half of the incidents. The report describes the findings as the 'tip of the iceberg', given that the majority of attacks are not reported or are reported and not recorded or recorded without the racist motive. The State authorities had turned a blind eye on what was going on and the party had been able to act without fear of any serious repercussions from the State and its institutions.

The State's seeming indifference towards the party's doings almost immediately changed following the murder of musician Pavlos Fyssas on the evening of the 17 September 2013 by Georgios Roumpakias, a member of the party's council, with the aid of a hit squad. It was only after the murder of an ethnic Greek that Greece witnessed '[an unprecedented mobilization of law enforcement mechanisms](#)' which resulted in the arrest and prosecution of the leadership and some members of the party. As underlined by the European Commission against Racism and Intolerance, the '[fact that hundreds of attacks against foreigners, including several killings, had not resulted in any steps against this organization but that this required the death of a Greek is, in itself, worrying](#)'. It must be noted that just a few months earlier, the murder of Pakistani immigrant, Shehzad Luqman, by *Golden Dawn* members had not led to an equivalent response by the authorities.

The trial

Eleven days after the murder of Fyssas, the police arrested MPs and members of *Golden Dawn*. The prosecutor's charges noted, *inter alia*, that the party's activities were '[not isolated incidents...they undermine the rule of law, offend human rights and human dignity, endanger public order and the internal security of the country, go against the democratic tradition and legal culture of the country as well as its obligations as they emanate from international and European human rights law](#)'.

It also proposed that members of *Golden Dawn* are guilty of having committed a series of crimes emanating from their far-right ideology and that *Golden Dawn* is a criminal organization within the meaning of Article 187 of the Greek Criminal Code. This article provides for up to ten years imprisonment for a person who 'creates, or participates as a member in an organization composed by at least three members and with constant action aiming at committing more than one felony' (such as murder with intent and grievous bodily harm). Some members of *Golden Dawn* have also been tried for the murder of Fyssas, the attempted murder of Abuzid Embarac (an Egyptian worker) and assassination attempts on members of the Greek Communist Party, all these with links to the general framework of *Golden Dawn* constituting a criminal organization. The trial involves a total of 69 persons, including 18 *Golden Dawn* MPs.

In terms of its status as a criminal organization, the State is viewing the criminal acts of its members as indicative and reflective of the criminality of *Golden Dawn* itself. As noted in the prosecutor's charges, none of the party's MPs can argue '[convincingly that he/she was unaware of the party's criminal activities, which systematically and for a long period of time were being committed by and for the party](#)'. The prosecution sought to prove that *Golden Dawn* consisted of about one thousand central cadres and about three to four hundred junior members, divided into cells of four or five members in all parts of Greece. The [indictment](#) notes that a member of a criminal organization is a person who subordinates his or her will to the will of the organization. His or her participation in the organization is demonstrated by actions such as the participation in, *inter alia*, military training organized by *Golden Dawn*, propaganda activities, funding and recruitment of new members. It is irrelevant if decisions are taken by the majority of members or, due to the *Führerprinzip* which marks the structure and functioning of the party, if the decision is taken by the leader. The proposal also highlights that in a criminal organization, the desire of the group for the implementation of its objectives binds all members, regardless of their involvement in preparing the acts insofar as each member is aware that he/she is part of the fulfillment of the organization's objectives.

Links to National Socialism

It was necessary to lift the immunity of *Golden Dawn*'s MPs in order to carry out the currently ongoing trial. The respective [pre-trial report of the investigative judges](#) notes that the party's National Socialist belief system is *inter alia* evident in their hidden constitution (see also Dimitris Psaras, [Golden Dawn before Justice](#), 2014).

The hidden constitution was deposited at the Supreme Court by journalist Dimitris

Psaras for purposes of the ongoing trial. Golden Dawn denies that this document belongs to its party, notwithstanding that references had been made to another such document from the first editions of the Golden Dawn magazine issued over twenty years ago. However, it has been referred to and relied upon in the prosecutorial proposal. The hidden constitution holds that the members of Golden Dawn are 'only Aryans by blood, Greek by descent...' whilst a candidate may only be someone who 'accepts the...principles of National Socialism and is determined to fight without reservation for their effectuation'. They believe blood to be 'the supreme carrier of the biological virtue of our race'. The statutes also underline the importance of the leader's principle holding that 'for us, the Greek national socialists there was never any dilemma, the democratic model of governance...has no place in our movement...we believe in the principle of the leader as fundamental for State legitimacy'.

The impact of the trial on Golden Dawn

In the national elections of June 2012, the party had received 6.92% of the vote and [eighteen seats in parliament](#). Even after the party's MPs and some members were arrested and detained, the party managed to maintain and even expand its electoral support, gaining 9.8 % of the vote in the 2014 European elections, [sending three members to the European Parliament and coming in third place](#). In the 2015 national elections of January, their support fell slightly in comparison to the previous national elections, gaining 6.28% of the vote and 17 members of parliament. A major turning point for its electoral appearance was the 2019 parliamentary election where Golden Dawn lost all of its eighteen seats in the Greek Parliament, receiving only 2.93% of the vote, as opposed to 7.0% in 2015. While this was possibly a result of the ongoing trial, the Racist Violence Recording Network has found a significant drop in hate crime following the mass arrests of *Golden Dawn* members and leaders. More particularly, it recorded eighteen incidents for the period between October and December 2013 [whereas](#) the average number of the previous three-month period came to fifty incidents. Although this is a positive consequence of the arrest of *Golden Dawn* members, the statistic also demonstrates the damaging consequences of the Greek State's neglect in taking measures against the party. Due to the above finding, the Network concluded that such crimes were committed by the infamous hit squads of the party. However, although these crimes have decreased, they still continue albeit less numerous. In a [2014 report](#), the Head of Doctors of the World in Greece noted that, due to the fact that the hit squads no longer have the safety net of impunity, there is a tendency to resort to other measures such as threatening and humiliating their target groups.

Not letting the guard down

The violence committed by *Golden Dawn* and the apathy of the State (up until the murder of Fyssas) has been an anathema to (the birthplace of) democracy and to the rule of law. One may only hope that the State will realize the serious ramifications of its previous inaction and find that *Golden Dawn* is nothing less than a criminal organization and hand out individual penalties where appropriate. The State

must also be aware that followers of this violent political party will search and find new homes in other organizations, some of which have already been established.

